



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Contract Award for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project (\$66,616)

MEETING DATE: February 16, 1994

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the attached resolution awarding the contract for the above project to Moody Construction of Sacramento in the amount of \$66,616.

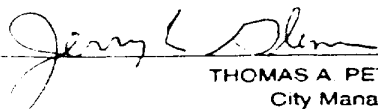
BACKGROUND INFORMATION: This project consists of construction of approximately 1,540 lineal feet of 36-inch cast-in-place pipeline with manhole additions, modification, and demolition, and installation of valves at various points along the pipeline, and other incidental and related work, all as shown on the plans and specifications for the project.

This pipeline project is Phase 1 of the White Slough Water Pollution Control Facility irrigation system expansion. The completion of the scheduled three phases will enable the City to expand the irrigation system to include the recently purchased 274 acres southeast of the plant. This will allow the disposal of cannery waste and plant effluent to this land. Under the terms of our State discharge permit, the City is required to pursue this project which enables us to spread effluent onsite instead of discharging to the Delta in the event of a disruption in the treatment process. The remaining two phases of this project are scheduled for fiscal year 1994/95 in the Wastewater Capital Improvement Program.

Plans and specifications for this project were approved on January 19, 1994. The City received the following nine bids for this project:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$ 111,950
Moody Construction	Sacramento	\$ 66,616
Floyd Johnston Construction	Clovis	\$ 70,390
George Reed, Inc.	Lodi	\$ 71,916
DSS Company	Stockton	\$ 73,754
Granite Construction	Stockton	\$ 82,480
Teichert Construction	Stockton	\$ 91,166
Brock Construction	Stockton	\$ 99,417
Phillips Backhoe	Lodi	\$ 115,828
Robert Burns Construction	Stockton	\$ 116,600

APPROVED


THOMAS A. PETERSON
City Manager



RECYCLED PAPER

Contract Award for White Slough Water Pollution Control Facility Irrigation System Expansion
Pipeline Project (\$66,616)
February 18, 1994
Page 2

FUNDING: Originally Budgeted: 1992/93
Budgeted Fund: Sewer Utility Capital Outlay
Current Appropriation: \$ 137,000
Total Project Estimate: \$ 85,000
Bid Opening Date: February 9, 1994



Jack L. Ronsko
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer

JLR/WKF/lm

Attachment

cc: City Attorney
Purchasing Officer
Water/Wastewater Superintendent



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Contract Award for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project (Supplemental Information)

MEETING DATE: February 16, 1994

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Not applicable.

BACKGROUND INFORMATION: On February 10, 1994, we received a fax from Floyd Johnston Construction Company protesting the award of the White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project to Moody Construction on the grounds that Moody Construction does not have any previous experience in installing cast-in-place pipe. Floyd Johnston Construction also indicated that they contacted Sierra Vista Rentals and discovered that they have never rented any cast-in-place machinery to Moody Construction. A copy of the letter of protest from Floyd Johnston Construction is attached.

Section 6-63, "Cast-in-Place Concrete Pipe", of the specifications for this project states that, "Upon request of the Engineer, the Contractor shall submit evidence of experience and qualifications for performance of the work with the proposed equipment. Inexperienced Contractors or unsuitable equipment will not be permitted to operate on the work."

A background check of Moody Construction revealed that it is a small company, bondable to \$150,000. Its surety company, Valley Surety, indicated that Moody Construction has been a very good account.

Dan Moody, of Moody Construction, informed us that his intent was to rent the cast-in-place equipment from Tremont and use his own employees to operate the machinery. Tremont rents cast-in-place machinery and is a competitor of Sierra Vista Rentals. Curt Gilley, of Tremont, told the City that Moody Construction has rented cast-in-place equipment from them before and that Dan Moody has operators who know how to run the equipment. Mr. Gilley also indicated that Tremont will have personnel on the job site to be sure the machinery is running properly and that the operators are not having any problems. Mr. Gilley reported that Moody Construction is a small company that does good work. Tremont may have a biased opinion on the award of this contract as they will be renting their equipment to Moody Construction, but Mr. Gilley felt that Moody Construction was very capable of constructing our 36-inch irrigation line.

Mr. Moody gave three references for previous cast-in-place pipe work: an 84-inch line for the City of Sonoma, a 36-inch/48-inch line for Moraga Country Club, and a 60-inch/72-inch line for the Vallejo Sanitation and Flood Control District. Phone calls to the City of Sonoma and Moraga Country Club revealed that the contracts on those projects were awarded to Fisher Brothers Construction of

APPROVED _____

THOMAS A. PETERSON
City Manager



recycled paper

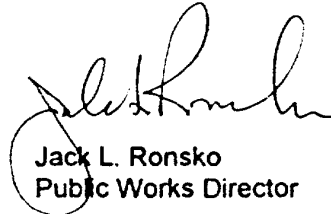
Contract Award for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project (Supplemental Information)
February 16, 1994
Page 2

Rio Vista. Both projects were done within the past three years and were difficult jobs with the contractor competently performing the work. Ron Fisher, of Fisher Brothers Construction, was contacted and he indicated that Moody Construction worked on installing these two cast-in-place pipelines. It was not clear whether Moody Construction was a subcontractor or a partner on these projects, but Mr. Fisher did confirm that Dan Moody and his employees were involved in the work. Mr. Fisher indicated he would write a letter to the City confirming that Moody Construction has performed cast-in-place concrete pipe work and that they are a capable company.

Moody Construction was the contractor for a 60-inch/72-inch cast-in-place pipeline project for the Vallejo Sanitation and Flood Control District approximately ten years ago. The inspector for the District remembered Dan Moody as a responsive and concerned contractor who was very knowledgeable in cast-in-place pipe work.

In summary, our background check revealed that Moody Construction has previous experience in installing cast-in-place pipe and using cast-in-place equipment. The White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project is a relatively easy job. It is a straight, shallow, open field trench with no traffic control involved. As such, we see no reason why this contract should not be awarded to Moody Construction.

FUNDING: Not applicable.



Jack L. Ronsko
Public Works Director

Prepared by Wes Fujitani, Senior Civil Engineer

JLR/WF/lm

Attachment

cc: City Attorney
Purchasing Officer
Water/Wastewater Superintendent
Moody Construction
Floyd Johnston Construction
DJHE Engineering

FLOYD JOHNSTON CONSTRUCTION CO. INC.

6373 N. DeWolf • Clovis, CA 93612

Office: (209) 299-7373

Contractors License No. 290281

FEBRUARY 10, 1994

Purchasing Officer, City of Lodi
221 W. Pine Street
Lodi Ca. 95241

Reference: White Slough Water Pollution Control Facility Irrigation
System Expansion Pipeline Project.

Subject: Bid protest against apparent low bidder Moody Construction
of Sacramento Ca.

Attn. Purchasing Officer:

The specifications and bid documents for the above referenced project clearly call out that sub-contractors performing one half of one percent of the contract work must be listed on the bid form on page 3.3 of the bid documents. The apparent low bidder Moody Construction failed to list any subcontractors on their bid form therefore we must assume that one hundred percent of the work will be done by Moody Construction forces.

The specifications, special provisions page 6.8, section 6-63 paragraph 4 states " The contractor shall submit evidence of experience and qualifications for performance of the work with the proposed equipment. Inexperienced contractors or unsuitable equipment will not be permitted to operate on the work."

The three reinforced concrete pipe suppliers that service the Sacramento area (California Concrete Pipe and Products, Sacramento/ California Concrete Pipe , Stockton California/ and Hydro Conduit in both Napa Ca and Fresno California) have not sold Moody Construction any material nor has Moody Construction ever installed any of their products.

Further more Moody Construction has never poured any Cast-In-Place-Concrete pipe according to the pipe machine rental company Sierra Vista Rentals. In talking to local contractors in the valley they confirm that Moody Construction indeed does not do Concrete Storm Drain and Irrigation Pipe Line work. In the life time of Floyd Johnston Construction Co. we have never bid a C.I.P.C.P. job against or even seen Moody Construction on a plan holders list. With this in mind the project should clearly be awarded to the lowest responsible bidder with the proper experience, Floyd Johnston Construction .

FLOYD JOHNSTON CONSTRUCTION CO. INC.

6373 N. DeWolf - Clovis, CA 93612

Office: (209) 299-7373

Contractors License No. 280281

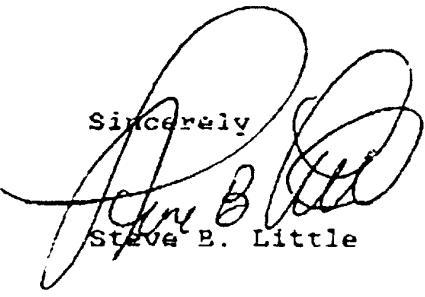
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We have twenty four years of experience installing Cast-IN-Place-Concrete Pipe. Floyd Johnston also owns 53 pipe machines. These machines range in size from 24" diameter to 120" diameter. Upon request we can furnish hundreds of completed project all over the state of California.

Due to the preceding deviations from the specifications the decision to award this project to Floyd Johnston Construction should be a cut and dry situation.

If additional information is required please feel free to call me.

Sincerely



Steve E. Little

RESOLUTION NO. 94-19

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A RESOLUTION OF THE LODI CITY COUNCIL
AWARDING THE CONTRACT FOR WHITE SLOUGH WATER POLLUTION CONTROL
FACILITY IRRIGATION SYSTEM EXPANSION PIPELINE PROJECT

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on February 9, 1994 at 11:00 a.m. for the contract for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project, 12751 North Thornton Road, described in the specifications therefor approved by the City Council on January 19, 1994; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$ 111,950
Moody Construction	Sacramento	\$ 66,616
Floyd Johnston Construction	Clovis	\$ 70,390
George Reed, Inc.	Lodi	\$ 71,916
DSS Company	Stockton	\$ 73,754
Granite Construction	Stockton	\$ 82,480
Teichert Construction	Stockton	\$ 91,166
Brock Construction	Stockton	\$ 99,417
Phillips Backhoe	Lodi	\$ 115,828
Robert Burns Construction	Stockton	\$ 116,600

WHEREAS, the City Manager recommends that award of the contract for White Slough Water Pollution Control Facility Expansion Project, 12751 North Thornton Road, be made to Moody Construction, Sacramento, California.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi that award of the contract for White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project, 12751 North Thornton Road, be and the same is hereby awarded to Moody Construction in the amount of \$66,616.00.

Dated: February 16, 1994

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I hereby certify that Resolution No. 94-19 was passed and adopted by the City Council of the City of Lodi in a regular meeting held February 16, 1994 by the following vote:

Ayes: Council Members - Davenport, Mann, Pennino, Snider
and Sieglock (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Jennifer M. Perrin
City Clerk

94-19

FROM: CITY OF LODI PURCHASING

TO: LODI CITY HALL-ADMIN

FEB 16, 1994 4:28PM #746 P.02

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY C. DAVENPORT
PHILLIP A. PENNING
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1970
(209) 334-5614
FAX (209) 333-6775

THOMAS A. PETERSON
City Manager
JENNIFER M. PERKIN
City Clerk
ROB MCNATT
City Attorney

February 15, 1994

Mr. Steve Little
Floyd Johnston Construction Co., Inc.
6373 North DeWolf
Clovis, CA 93612

Re: White Slough Water Pollution Control Facility Irrigation
System Expansion Pipeline Project

Dear Mr. Little:

I have received notification from the City's Engineering Department that it is their intent to recommend to the City Council on Wednesday, February 16, that the contract for the project referenced above be awarded to the low bidder, Moody Construction of Sacramento.

A copy of the Council Communication and supplemental letter to the Council is attached for your information.

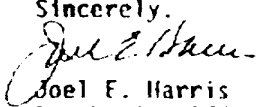
As I indicated in my February 11 letter to you, you may take the opportunity to address the City Council, in support of your bid, at their meeting of Wednesday, February 16, 1994, at 7:00 p.m. in the Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi.

The meeting location may be reached from State Route 99 by exiting at the Central Lodi/San Andreas/Highway 12 East exit and turning southbound on the frontage road at the top of the ramp. Drive south to the first stop sign (Pine Street), and turn right (west) on Pine. Proceed west on Pine past the railroad tracks and arch, about two and one-half blocks to the Carnegie Forum on your right. You may wish to plan at least two and one-half hours travel time from Clovis.

To alert the Mayor to your attendance and your desire to address the Council, you may wish to fill out a card (found at the rear of the Chamber), and hand it to the City Clerk prior to the meeting.

If you have questions in the meantime please call me.

Sincerely,


Joel E. Harris
Purchasing Officer
City of Lodi
(209) 333-6777

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY C. DAVENPORT
PHILLIP A. PENNING
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5614
FAX (209) 333-6777

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
ROB MCNATT
City Attorney

February 11, 1994

Mr. Steve Little
Floyd Johnston Construction Co., Inc.
6373 North DeWolf
Clovis, CA 93612

Re: White Slough Water Pollution Control Facility Irrigation
System Expansion Pipeline Project


Subj: Bid Protest dated February 10, 1994

Dear Mr. Little:

This notification is to advise you that we have received your letter of protest against the apparent low bidder for the project referenced above, and that we will reply to it as soon as possible.

For your information, consideration of award for this project is scheduled to come before the Lodi City Council on Wednesday, February 16, 1994, at 7:00 p.m. in the Council Chambers, 305 West Pine Street, Lodi. At that meeting, you may have the opportunity to address the City Council in support of your bid, if you wish to do so. However, we will respond to your protest prior to that time, advising you of the recommendation for award, and of your right to appear before the Council.

Sincerely,


Joel E. Harris
Purchasing Officer
City of Lodi
(209) 333-6777

cc: City Engineer

**WHITE SLOUGH WATER POLLUTION CONTROL FACILITY
IRRIGATION SYSTEM EXPANSION PIPELINE PROJECT**

**SECTION 1
NOTICE INVITING BIDS**

CITY OF LODI, CALIFORNIA

Sealed proposals will be received by the Purchasing Officer, Lodi City Hall, 221 W. Pine Street, P.O. Box 3006, Lodi, California, 95241-1910, until 11:00 a.m. on **Wednesday, February 9, 1994**. At that time, the proposals will be publicly opened and read in Lodi City Hall for performing the following described work. The work consists of construction of approximately 1,540 lineal feet of 36-inch reinforced concrete/cast-in-place pipeline with appurtenances, including demolition of four manholes, construction of two new manholes, and installation of two slide gates, and other incidental and related work, all as shown on the plans and specifications for the above project.

The Contractor agrees to complete the work by April 10, 1994. It is the City's intent to award the contract on February 16, 1994. Upon signing the contract, Contractor agrees that length of time of the contract is reasonable.

In accordance with the provisions of Section 1770 of the Labor Code, the Director of Department of Industrial Relations of the State of California has determined the general prevailing rates of wages and employer payments for health and welfare, pension, vacation, travel time, and subsistence pay as provided for in Section 1773.8, apprenticeship or other training programs authorized by Section 3093 and similar purposes applicable to the work to be done. Said wages are available through the Public Works Department, City of Lodi, City Hall, Lodi, California, 95240. The Contractor and any subcontractor shall pay each employee engaged in the trade or occupation not less than the hourly wage rate. As the wage determination for each craft reflects an expiration date, it shall be the responsibility of the prime contractor and each subcontractor to insure that the prevailing wage rates of concern are current and paid to the employee.

The Contractor shall make travel and subsistence payments to each worker needed to execute the work as such travel and subsistence payments are defined in the applicable collective bargaining agreements in accordance with Section 1773.8 of the Labor Code.

If a craft or classification used on the project is not shown on the wage determination, the Contractor may be required to pay the wage rate of that craft or classification most closely related to it as shown in the general determinations.

The City of Lodi hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

For any moneys earned by the Contractor and withheld by the City of Lodi to ensure the performance of the contract, the Contractor may, at Contractor's request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Section 22300 of the Public Contract Code of the State of California.

The Contractor shall submit copies of payroll records.

The contract documents are available for \$25 (nonrefundable) at the office of the City Engineer, Public Works Department, City Hall, 221 W. Pine Street, P.O. Box 3006, Lodi, California, 95241-1910, (209) 333-6706. A set of plans and specifications will be mailed upon receipt of \$30 (nonrefundable). -

No bid will be considered unless it is submitted on a proposal form furnished by the City of Lodi. The prime contractor on this project shall possess a valid **State of California Class A** contractor's license.

The City Council reserves the right to reject any or all bids and to waive any informality in the completion of such forms, and to award to the lowest responsible bidder.

The list of plan holders and the bid results will be available on our voice mail system. Bid results will be available one hour after the bid opening. To enter the voice mail system, call (209) 333-6800. When the greeting begins, enter 243 (BID), listen for your bid choice and press appropriate key.

By Order of the City Council

JENNIFER M. PERRIN
City Clerk

**MEMORANDUM, City of Lodi, Public Works Department**

To: City Manager
City Council

From: Public Works Director

Date: March 4, 1994

Subject: Agricultural Stabilization Conservation (ASC) Funds

At the regularly scheduled Lodi City Council Meeting of February 16, 1994, a comment was made by Council Member Davenport regarding possible Agricultural Stabilization and Conservation (ASC) funding. It was thought that we could obtain total or partial funding of the White Slough Water Pollution Control Facility Irrigation System Expansion Pipeline Project.

Wastewater Division staff contacted San Joaquin County agricultural staff who referred us to Ms. Lori Ziemann, of the USDA's Agricultural Stabilization Conservation Services, who heads a program titled Agricultural Conservation Program (ACP). After City staff outlined the Pipeline Project (converting the recently acquired 270 acres into an effluent/cannery waste disposal site), we were informed that this type of project did not qualify. In fact, funding is not available to any state, county or local agency.

The program is only for private farmers converting to drip irrigation or closed pipe systems from flood or ditch irrigation practices. Even to a private farmer, only fifty percent funding is available up to a maximum of \$3,500. A sheet which outlines eligibility and ineligibility on this program is attached.

If you have any questions regarding this memo, please contact me.

A handwritten signature in black ink, appearing to read "Jack L. Ronsko", is written over a circular stamp. The stamp contains the text "Jack L. Ronsko" and "Public Works Director".

Jack L. Ronsko
Public Works Director

JLR/im

attachment

cc: Water/Wastewater Superintendent

256 Government Entities**A****State Government
and Agencies**

A State government or any of its agencies is not an eligible "person" for cost sharing.

Note: State-supported colleges or universities are ineligible as a "person" under ACP.

B**Local Government
Units**

County, city, or other local government units are ineligible "persons" for ACP purposes.


C**School Districts**

Independent school districts are ineligible "persons" for ACP purposes.

Par. 251

251 Eligible and Ineligible "Persons"**A****Determining
Eligibility**

*—By law, ACP eligibility is limited to agricultural producers. Use this table to determine ACP eligibility.

IF a "person" is a...	AND...	THEN...
farmer or rancher who has an interest in the farm and is either: <ul style="list-style-type: none"> • an individual • *—a partnership member—* • an association • a corporation • an estate • a trust • a business enterprise • a legal entity 	is an agricultural producer that contributes part of the practice cost—*	the "person" is eligible for ACP benefits.
<ul style="list-style-type: none"> • Federal agency • State • a political subdivision of a State • State agency • district with taxing authority 		it is not eligible for ACP benefits.